

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDREW ST. LEDGER MONAGHAN, III,

No. C 11-3278 CW

Plaintiff,

ORDER DENYING
MOTION FOR RETURN
OF FILING FEE AND
TRANSFERRING CASE
TO THE CENTRAL
DISTRICT OF
CALIFORNIA

v.

LARRY P. FIDDLER, ALLEN JACKSON,
and RICKY KYLE,

Defendants.

_____/

On July 5, 2011 Plaintiff filed a complaint and an application for leave to proceed in forma pauperis. However, on October 5, 2011, Plaintiff paid the \$350 filing fee and served Defendants. On October 19, 2011, the Court issued an order granting Plaintiff's Application to Proceed In Forma Pauperis and Dismissing Complaint. The Order explained that, because the events which gave rise to this action occurred, and the parties involved reside, in the Central District of California, venue is improper in the Northern District. The Order also explained that the complaint was dismissed without prejudice to re-filing with the full filing fee.

Now Plaintiff moves to have his filing fee returned so that he can re-file his complaint in the Central District of California. Because Plaintiff has paid the filing fee, his case may proceed. The Court construes Plaintiff's request as a motion to transfer venue. The motion to transfer venue to the Central District of California is granted.

CONCLUSION

The Clerk of the Court shall transfer this case to the
Central District of California.

IT IS SO ORDERED.

Dated: 11/22/2011


CLAUDIA WILKEN
United States District Judge